

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

ESTATE OF ROGER D. OWENSBY,	:	
JR.,	:	NO. 1:01-CV-00769
	:	
Plaintiff,	:	
	:	ORDER
	:	
v.	:	
	:	
	:	
CITY OF CINCINNATI, <u>et al.</u> ,	:	
	:	
Defendants.	:	

On April 29, 2004, the Court held a status conference in the instant case. During this conference, the City of Cincinnati moved for leave to take the deposition of one Jason Thorne at the Wasco State Prison in Wasco, California. Apparently, Shawn Owensby, during his deposition, raised the possibility or allegation that Jason Thorne might have been involved in some illegal activity with the decedent, and the City now seeks leave to perpetuate his testimony. After over two years, however, discovery closed in this case as of January 1, 2004, and the City failed to indicate how any of the information sought in this request might be relevant to advancing its defense in the instant case. With trial scheduled to commence in less than two months, the Court finds no

justification for granting the City's motion for leave to take the requested deposition. Accordingly, the City's motion is hereby DENIED.

SO ORDERED.

Dated: May 13, 2004

s/S. Arthur Spiegel
S. Arthur Spiegel
United States Senior District Judge